REMARKS

Claims 1-7, 9-11 and 13-27 are pending in the application. Claims 1, 23, and 25-27 stand rejected. Claims 2-7, 9-11, 13-22, and 24 are allowed. Claims 26 and 27 are amended for clarity, changing "portable" to "hand-carriable" which is supported by the specification at least by Figs. 1, 4, and 5, which clearly depict a handle. Claims 28-31 are added, and are supported by the specification at least at page 9, lines 24-27, and page 11, lines 6-11. Favorable reconsideration of the application in view of the above amendments and following remarks is respectfully requested

Applicants respectfully submit new claims 29 and 30 are in condition for allowance for at least the same reasons as claims 2 and 7, respectively, form which they depend.

Claims 26 and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by USPN 6,429,923 Ueda et al. Applicants traverse the rejection for at least the following reasons.

The rejection of claims 26 and 27 have been previously discussed in the response filed June 13, 2006, and the Pre-appeal Request for Review filed March 22, 2007, both of which are incorporated herein by reference. Additionally, Applicants provide the following remarks over Ueda et al.

Claims 26 and 27 are herein amended to emphasize that portable means hand-carriable, as demonstrated in Figs. 1, 4, and 5 of the application, which clearly show a handle on the imaging system.

Ueda et al. shows a movable minilab, having wheels 302, as shown in Figs. 5 and 6, and stanchions or legs 202, used for leveling the device prior to use, as would be recognized by one of ordinary skill in the art. Because the minilab uses chemicals for processing, a level surface must be ensured for proper maintenance of chemical levels in processing. As shown, Ueda et al. is movable, or portable, but not in such a manner as to be carried by hand.

The Examiner takes official notice that it:

> would have been notoriously obvious to one of ordinary skill in the art at the time the invention was made to reduce the size of the imaging system of Ueda et al. in order to make it small enough to be carried by hand. ...such a modification would have involved a mere change in the size of a component.

However, the Patent Office has provided no evidence of any successful reduction of a full-size wet-processing minilab like Ueda et al. to a hand-held, portable size. Applicants submit herewith an article ("A Survey of Digital Minilabs in the USA," Photoreporter, No. 11, Vol. 14, June 11, 2006) on the history of minilabs, and the state of the art as of the time of the article (2006). None of the wet-processing or digital minilabs described are hand-carriable. As shown in Figs. 9-14 of Ueda et al., goods and materials related to photoprocessing are moved between the minilab and a photofinishing place, a customer, or a pick-up location, but the minilab itself is **not** moved.

Applicants' invention pertains to the portability of a device to capture images, wherein the device can then be moved to a place of photofinishing. This allows the capture of images at multiple locations, for the convenience of the user, and to enable use by people unable to get to a minilab, such as those whose mobility is impaired, for example, elderly or infirm persons, or those confined to a building or space (nursing home, hospital, prison, etc.). Users can have their photos entered into the device, and the device can be returned for processing of the photos, which can then be returned to the user, for example, by mail.

Ueda et al. does not disclose, suggest, or teach portability or hand-carrying of an imaging system. Due to the number of components involved, and difficulty of reducing the wet-processing system of Ueda et al. to a hand-carriable system, as evidenced by lack of success in the industry in making such a device, it would **not** be obvious to one skilled in the art of imaging to make the device of Ueda et al. hand-carriable. Should the Examiner persist in this reasoning, a detailed explanation of how one could minimize the components of Ueda et al. to a hand-carriable size is requested.

In view of the above and previous arguments set forth on the record by Applicants, Applicants submit the Patent Office has failed to present a *prima facie* case over Ueda et al. under 35 USC 102(e). Applicants submit new claim 31 is allowable for at least the same reasons as claim 27 from which it depends. Reconsideration and withdrawal of the rejection are in order and are respectfully requested.

Claims 1, 23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,429,923 Ueda et al. Applicants traverse the rejection for at least the following reasons.

Claims 23 and 25 depend from claim 1, and will be treated therewith. The rejection of claims 1, 23, and 25 have been previously discussed in the response filed June 13, 2006, and the Pre-appeal Request for Review filed March 22, 2007, both of which are incorporated herein by reference. Additionally, Applicants provide the following remarks over Ueda et al.

As discussed above, and incorporated herein, Ueda et al. is not hand-carriable. The Examiner has provided no evidence or detailed reasoning to support how one skilled in the art could in fact reduce all the functions of Ueda et al. to a hand-carriable device. As shown in the Photoreporter article submitted herewith, no one in the industry has produced a hand-carriable imaging system. Thus, Applicants method and device fulfill a long felt need in the industry.

In view of all arguments presented herein and previously, Applicants submit the Patent Office has not presented a *prima facie* case of obviousness over claims 1, 23, and 25. Applicants submit new claim 28 is allowable for at least the same reasons as claim 1 from which it depends. Reconsideration and withdrawal of the rejection under 35 USC 103(a) are in order and are respectfully requested.

All of claims 1-7, 9-11 and 13-27 being in condition for allowance for at least the above reasons and reasons of record, reconsideration and prompt action in the form of a Notice of Allowance are respectfully solicited.

Should the Examiner require anything further, or have any questions, the Examiner is asked to contact Applicants' undersigned representative.

Attachment:

"A Survey of Digital Minilabs in the USA,"
Photoreporter, No. 11, Vol. 14, June 11, 2006

Respectfully submitted,

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.

PhotoReporter
The Imaging Industry's Business Paper

Viewing Issue:
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A destination for dealers to stay current within the industry, and a forum to share ideas.

IN THE NEWS

A Survey of Digital Minilabs in the USA

With advances in the performance of digital imaging kiosks, there is already talk in the industry that minilabs are coming to the end of their life cycle—a period spanning 30 years. The original minilab concept was developed in the early

The Way It Is
Onward and Upward With Mamiya

by Herbert Keppler

To Story

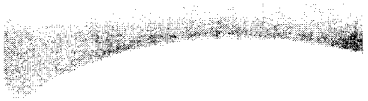
GO

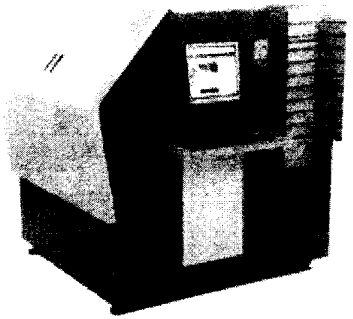
People On The Move

New Age Electronics appointed Jo Ann Belson as director of remanufacturing, Alan Schlagenhaft as director of operations and Blake Wakefield as director of Specialty Sales.

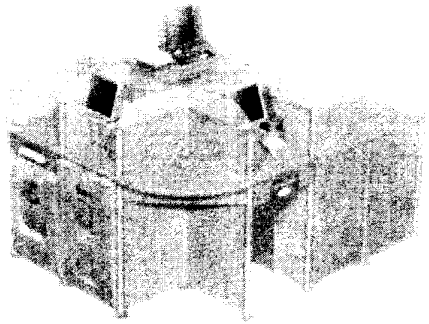
"At New Age we empower people to take risks, lear...

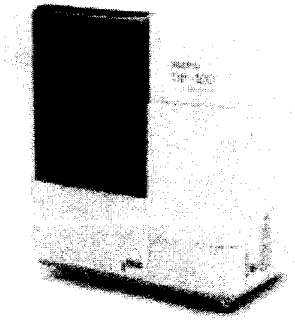
To Story

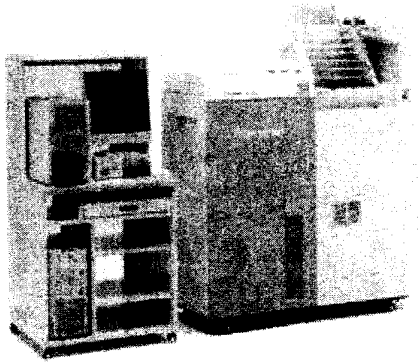




Following a relatively slow sales growth period, the market really skyrocketed when KIS introduced a simple, non automated (and controversial) $16,000 minilab in 1982 along with the Jumbo enlarger. Then in 1984, Konica developed the first washless Nice Print system. Fujifilm introduced the first film scanning system in 1985 and the first fully digital minilab in the mid-1990s. AgfaPhoto originally partnered with Copal, which entered the market in the mid-1980s and introduced its first printer/processor in 1988. Then in 1989, Print Technology introduced







Today, except for models from Konica, pedigreed digital minilabs that have evolved from these same companies are still being sold in the U.S. market. And there are also units from Chinese manufacturers Shanghai Doli and Shanghai Sophia available.

What Is a Minilab?

At one time, everyone understood what a "minilab" was. Today, as digital imaging kiosk systems evolve into both "receiving" stations for orders and "output" stations for orders received over the Internet or from a remote input terminal, the distinction between these two categories has blurred. We have begun defining a minilab as a printing system that requires an operator, to distinguish it from the "self-service" kiosk.

Since no minilab manufacturer is still making analog machines, let's look at the various digital models that

[illegible] (www.fujifilm.com) [illegible] designed for use as a stand-alone [illegible] dual-magazine [illegible] (LP5000) or with a matched scanner (SP500). It delivers up to 800 4R (4x6 inch) prints/hr. and features the smallest footprint yet (9 ft.2) in the Frontier series. Maximum print size is 8x12 or 8-inch wide paper, and CP-49E cartridge chemistry gives a dry-to-dry time of 87 seconds. Power consumption is 20 percent lower than that of the Frontier 340. A seven-unit sorter has a bin capacity of 55 4R prints.

For film orders, a tabletop SP500 scanner with a footprint of just over 1 ft.2 and weighing less than 50 pounds will accept APS, 135 roll, 135 strip and 135 mounted films with an automated 135 carrier. Maximum output from 135 negative film (excluding image processing and operator handling time) is 1,000 4R scans/hr. Resolution for 135 4R prints is 1,228x1,819 pixels; resolution for 135 8x12 prints is 2,433x3,638 pixels. For digital orders, the new GetPix kiosk serves as an order entry station, and it also has a dye-sub print engine for immediate output.

At the other end of the productivity range, the 13 ft.2 Frontier 590 digital lab system delivers up to 2,400 4R prints/hr. with a maximum print size of 12x18 inches. With a dry-to-dry time of 88 seconds, the time to print a 24-exp., single 4R print order is only 2 minutes and 19 seconds. New Photo Imaging Controller 3.0 and Frontier Manager 2.0 software permit operators to develop and manage print schedules, accept orders from multiple kiosks, simultaneously process kiosk and Internet-generated orders and remotely manage the system. A new system developed with Zebra creates gift cards with customers' pictures.

Fujifilm has teamed up with Noritsu to develop a new series of economical minilabs combining Noritsu's 300-dpi iBeam print engine with Fujifilm's image correction technology and fast CP-49E chemical system. The models of this collaboration are already being trade-tested in Japan.

The KIS Photo-Me Group (www.kis.fr/english) has the high-speed DKS 1770, which provides up to 2,000 6x4-inch pictures/hr. and sizes from 3.5x5 to 12x18 inches from a very reliable 350-dpi resolution LED light

[illegible] against a wall. It also is compatible with the company's new Intuitive Time System (ITS), which predicts and announces the shortest delivery time for a picture order before the consumer places it at the counter or kiosk.

The DKS-series minilabs are compatible with all popular kiosks from different manufacturers. At the Imaging Expo to be held this July in Shanghai, China, KIS Photo-Me will introduce lower capacity models in the new DKS-17 series that will be available later this year in the USA.

Besides merely selling machines, KIS Photo-Me emphasizes its "Money Maker" solutions for value-added products and services, including the My Creativ' Album hardware/software package for producing albums, books and other products, along with My Creativ' Frame software for preparing CDs and other special items.

KIS Photo-Me also has the economical DKS-900 modular dye-sub minilabs. As the demand increases, or the need for larger print sizes evolves, additional print modules can easily be added.

Combining the Kodak Picture Kiosk G4 platform and award-winning 6850 and 8800 thermal printers with a 35mm film scanner, the new Kodak (www.kodak.com) DPS 900 claims to have significantly lower total cost of operation, including lower capital investment and labor costs, than digital minilabs. It is currently being field-?tested in the USA.

The latest Noritsu (www.?noritsu.com) models are the ?QSS-3501 Digital and QSS-3502 Digital compact minilabs (footprint of 11 ft.2), featuring identical processing speeds for both digital media and film—up to 580 (QSS-3501) or 1,010 (QSS-3502) 4R prints/hr.—that can produce panorama prints up to 8x24 inches. The QSS-3501/02 series offers new film scanner options: the S1-11 scanner option that supports 35mm and APS film only; and the S-4 scanner. The S1-11 can be integrated into the Noritsu QSF-T15 film processor to produce a one-pass system that enables processed 35mm film to be automatically scanned as it exits the processor. It will be able to

optional equipment, it prints up to 100 inches in length. Processing capacity ranges from approximately 27 prints/hr. for 24x36 sizes to 81 prints/hr. for 12x18 sizes.

With a seven-color inkjet print engine, the DP-100 digital dry printer can produce standard photo sizes: 4x6 (64 prints/hr.), 5x7 and 8x10 inches (37 prints/hr.) all the way up to 12x12-inch scrapbook-size prints and jumbo 12x36-inch panorama prints (9 prints/hr.). This is the latest model in the collaboration between Epson and Noritsu for inkjet-powered digital minilabs. The earlier dDP-421/621 models are finding wider acceptance in the USA, especially as entry-level machines in retail locations where there might be a concern about the hazardous waste generated by "wet" minilabs.

The new SMI MKDry system (www.smi-grp.com) has a 300-dpi dye-sub print engine with a capacity up to 350 4R prints/hr. (first print after 25 seconds) and a maximum print size of 8x10. With a compact size (5 ft.2 footprint), the MKDry accepts all popular memory cards, has Bluetooth and infrared capability and uses d!pep software to enhance images with automatic red-eye removal.

SMI also has the conventional MK4 (400 4R prints/hr.), MK6 (650 4R prints/hr.) and MK10 (1,000 4R prints/hr.) units, now being made with the MOB (Mixing On Board) automatic internal chemistry mixing system.

Austin Texas-based Integra Technologies International (www.integrawest.com) is the primary North American sales, distribution and support agent of the new d-lab.1 minilabs being manufactured by Minilab Factory GmbH in the former AgfaPhoto facility in Germany. Minilab Factory is a joint subsidiary of the German companies Minilabsysteme R. Saal GmbH and Saxonia Systems AG and currently manufactures the former AgfaPhoto d-lab.1 and d-lab.2 models. Integra is also providing complete service, repair and maintenance as well as chemicals and repair parts for the more than 3,000 AgfaPhoto mini-labs running in the U.S., Canada and Mexico.

Digital minilabs from Chinese manufacturers Shantou Doll and Shanghai Sophia are also available in the USA. Sonman (www.sonman.com) has two Shanghai Sophia models with software from Poland-based River. The Sonman SDP-1217 will produce 800 4R prints/hr., with a maximum print size of 12x16.7 inches, while the Sonman SDP-1216 provides 750 3R prints/hr. with a maximum print size of 12x16 inches.

Other More Versatile Printer/Processors

For a little more money, Photo Industry Reporter readers might consider non traditional "minilabs" that provide a much wider range of products. These machines are being interfaced to digital imaging kiosks but may not be compatible with all popular models.

The Durst (www.durstus.com) Theta 51, Theta 51 Dual and Theta 51 B&W (dedicated B&W machine) series has a resolution of 200 ppi or 400 ppi. These systems can handle print sizes from 4x6 up to 20x30 inches and panorama prints, with or without borders, in packages, as a print series, etc. They have a production capacity of 380 (Theta 51) and nearly 500 (Theta 51 PS/51 Dual PS) 8x10-inch prints/hr. or more than 1,000 8x10-inch prints/hr. in a "nesting" mode—multiple prints on a large sheet (an x-y cutter is then necessary).

ZBE (www.zbe.com) recently introduced the Chromira5x 30 Lab, with ZBE's proven 300-dpi hybrid LED print engine that creates a visual resolution of 425 ppi (diamond-shaped pixels). With an integral print cutting system, it will produce, cut and sort prints: 1,440 4R prints/hr., 480 8x10 prints/hr. and 35 30x40 prints/hr. with a print size range from 4x5 up to 30x192 inches.

Other features include: daylight loading and operation; auto-nesting; auto sorting and collation of nested package orders; back printing of image and order information; distributed front-end network image submission; and exclusive on-the-fly image processing workflow.

[illegible] to 12x18 inches (accepts paper widths of 6, 7, 8 and 12 inches). The capacity is 1,500 4R prints/hr for the two-head version (1500 model), while the single-head version LumeJet 750 provides 750 4R prints/h. The machine has some attractive features, such as the Plug-n-Print replenisher cartridge system, DigeMix automatic replenisher mixing system and Print Q Manager touch-screen operation. It accepts inputs from kiosks, the Internet and LANs.

While there are fewer minilab manufacturers than there were only a short time ago, those that are still in the market have recognized the changing needs of photo retailers, and their new models are designed to accommodate a wide variety of inputs and outputs.

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